

IN RE: PETITION FOR VARIANCE	*	BEFORE THE OFFICE
(1600 York Road)		
8 th Election District	*	OF ADMINISTRATIVE
3 rd Council District		
Regent Development Company,	*	HEARINGS FOR
<i>Legal Owner</i>		
William H. Schaefer/Nationwide	*	BALTIMORE COUNTY
Motor Sales, Inc.,		
<i>Lessee</i>	*	CASE NO. 2019-0514-A
Petitioners		

* * * * *

ORDER OF DISMISSAL

This matter came before the Office of Administrative Hearings (“OAH”) for Baltimore County as a Petition for Variance filed by Regent Development Company, legal owner of the subject property, and William H. Schaefer/Nationwide Motor Sales, Inc., lessee (“Petitioners”). Petitioners were seeking variance relief from § 238.2 of the Baltimore County Zoning Regulations (“BCZR”) to allow side yard of 10 and 23 ft. and a rear yard of 18 ft. in lieu of the required 30 ft. A site plan was marked as Petitioners’ Exhibit 1.

This matter was originally scheduled for a public hearing on December 19, 2019 at 1:30 PM, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204. A Request for a Motion to Continue was put on the record to allow parties (David H. Karceski, Esq. and Eric Rockel) to negotiate a compromise, which continuance was granted.

The undersigned received an email on March 6, 2020 from David H. Karceski, Esq. indicating that his client decided to proceed with a layout that does not require any setback variances. To do so, his engineer filed an application with the Development Review Committee (“DRC”) to refine the prior approved development plan without any variances shown. In addition, Mr. Karceski requested time to get the development plan (without any variances) approved by the County, and if his client was not able to do so, he would, at that time, request that the case be reset.

OAH staff spoke to Mr. Karceski on March 9, 2020 and inquired about the DRC timeframe, and Mr. Karceski indicated that the DRC can take approximately 4 to 5 months; the file was then returned to the Office of Zoning Review (“OZR”).

On October 26, 2020, an email was received from Adam M. Rosenblatt, Esq. requesting voluntary withdrawal of the above-referenced petition without prejudice. As such, this case will be dismissed.

THEREFORE, IT IS ORDERED, this 9th day of **November, 2020**, by the Administrative Law Judge for Baltimore County, that the Petition for Variance pursuant to the Baltimore County Zoning Regulations (“BCZR”) to allow side yard of 10 and 23 ft. and a rear yard of 18 ft. in lieu of the of the required 30 ft., be and is hereby **DISMISSED WITHOUT PREJUDICE**.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

Signed _____
PAUL M. MAYHEW
Managing Administrative Law Judge
for Baltimore County

PMM/dlw